American Water Works Association
Government Affairs Office

"Dedicated to Safe Drinking Water"

December 22, 1997

Federal Communications Commission
Room 222
1919 M Street N.W.
Washington D.C. 20554

Re: **The Development of Technical and Spectrum Requirements for Meeting Public Safety Agency Communication Requirements, Establishment of Rules and Requirements for Priority Access Service (WT Docket No. 96-86)**

Dear Commission Members:

Enclosed are the comments from the American Water Works Association on *Notice of Proposed Rulemaking, The Development of Technical and Spectrum Requirements for Meeting Public Safety Agency Communication Requirements, Establishment of Rules and Requirements for Priority Access Service* (WT Docket No. 96-86). If you have any questions on these comments, please feel to contact me or Steve Via in our Washington Office at (202) 628-8303.

Yours sincerely,

Steve H. Via
for John H. Sullivan
Deputy Executive Director

Enclosures - Original and 9 copies

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Final Written Comments on the Notice of Proposed Rule Making on The Development of Technical and Spectrum Requirements for Meeting Public Safety Agency Communication Requirements, Establishment of Rules and Requirements for Priority Access Service

(WT Docket No. 96-86)

Submitted to:
Federal Communications Commission (FCC)
1919 M Street N.W.
Washington D.C. 20554

Submitted by:
American Water Works Association
1401 New York Avenue, Suite 640
Washington D.C. 20005
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December 22, 1997

Final Written Comments on the Notice of Proposed Rule Making on The Development of Technical and Spectrum Requirements for Meeting Public Safety Agency Communication Requirements, Establishment of Rules and Requirements for Priority Access Service

(WT Docket No. 96-86)

The American Water Works Association (AWWA) is pleased to have the opportunity to comment on the Notice of Proposed Rulemaking (NPRM) on *The Development of Technical and Spectrum Requirements for Meeting Public Safety Agency Communication Requirements, Establishment of Rules and Requirements for Priority Access Service*. AWWA is an international, non-profit, scientific and educational society dedicated to the improvement of drinking water quality and supply. Founded in 1881, the Association is the largest organization of water supply professionals in the world. Our 55,000 plus members represent the full spectrum of the drinking water "community": treatment plant operators and managers, environmentalists, scientists, academicians, and others who hold a genuine interest in water supply and public health. Our membership includes approximately 3,900 public water suppliers which treat and distribute about 75 percent of the nation's drinking water.

The comments provided herein reflect the consensus of the AWWA, which, given the depth and breadth of its representation, also reflect the predominant view of the nation's public water systems (PWSs) and drinking water professionals. It is therefore appropriate that these AWWA comments be heard on behalf of the drinking water community in general.

These comments have been prepared with an intended spirit of cooperation. Only through an open sharing of expertise and information will the public's health be protected. With this in mind, we would like to recognize and acknowledge the Federal Communications Commission's (FCC's) openness to discuss and understand the issues surrounding this and other recent rulemakings. AWWA looks forward to continuing to work with the FCC so that the perspective of the drinking water community can be better understood by the Commission and their staff.

Provision of Public Safety Spectrum

AWWA commends the FCC for responding in a timely fashion to comply with the provisions of the Balanced Budget Act of 1997 related to public safety communications in the 746 - 806 MHz band. AWWA strongly supports the provision of adequate spectrum for the telecommunication needs of fire, police and other public safety entities.

Interoperability with Critical National Infrastructure

AWWA's members believe that it is essential that adequate systems be put in place to insure public safety entities can communicate with water utilities and other components of the nation's critical infrastructure (i.e., power, pipeline, and railroads) to insure the public's welfare.

Water systems rely on and are relied on by public safety agencies during a wide range of emergencies. Telecommunications failure could jeopardize the ability of the nation's public water suppliers to protect public health and safety. The inability of water systems to adequately communicate with other responders in an emergency could:

- Disarm fire fighters in the event of a fire - water distribution systems are critical to fire fighting, maintaining adequate water supply and pressure;
- Prevent protection of public health in a flood or other natural emergency where coordinated communication of flood elevations, loss of electric power, etc. is critical to insuring that the public's supply of drinking water is not compromised;
- Prevent or slow police response in the event a drinking water facility's security is threatened, potentially as a terrorist act.

Addressing interoperability requires: the provision of adequate spectrum for interoperability, standards for equipment compatibility, and availability of adequate priority access for critical infrastructure entities.

<u>Scope of the Interoperability Issue</u>

There are more than 55,400 community water systems. Approximately 6,500 community water systems serve populations of 3,301 persons or greater while an additional 48,900 systems are

classed as either small or very-small by U.S. EPA (*FY 1996 National Compliance Report*, USEPA). While individual systems will have varying degrees of need for radio communication interoperability with emergency responders, the issues addressed in this rulemaking will affect a significant fraction of these systems. The FCC should recognize that community water systems are only one of a number of quasi-public safety entities for which interoperability with public safety users is an aspect of daily operations and major emergency communications. To adequately accommodate interoperability the FCC may need to re-evaluate the quantity of spectrum set aside for this purpose.

Standards for Equipment Compatibility

Currently, no standard radio communications equipment is being produced for the spectrum addressed in this rulemaking. As the FCC observed in the NPRM, currently the issues driving interoperability problems both between different public safety entities and between public safety entities and critical national infrastructure entities include: widely varying frequencies used by existing communication systems and incompatibility between installed equipment using the same frequencies. Given the absence of an existing installed equipment base and anticipated delay in the availability of this spectrum, this rulemaking provides the FCC an opportunity to avoid equipment incompatibility problems in the frequencies set aside for interoperability.

Availability of Adequate Priority Access

The congestion of telecommunications systems during emergency situations is routinely observed. For example, in 1997 major snow storms in Lincoln, NE and Kansas City, MO downed telephone lines -- subsequently the cellular telephone system circuits were overwhelmed. Dealing with this type of scenario through provision of priority access systems is necessary and appropriate, however, there is a need for priority access for the purposes described in the NOPR beyond the current allocation of spectrum for public safety. When additional spectrum becomes available for development of priority access that system should support inclusion of quasi-public safety entities for purposes of interoperability.

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